

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Sector 8

In re Patent Application of:

FREEDMAN et al

Serial No. 09/437,450

Filed: November 10, 1999

For: STRESSOR REGULATED GENES

Attention: Application Branch

Atty. Dkt. 1579-315

Date: April 10, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231The attached completes filing of the above-identified patent application:

- ☒ Signed Rule 63 Declaration alone OR
☐ Signed Declaration plus attached copy of originally filed specification/drawings.
☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.
☒ Record and return the attached assignment.
☐ Priority is hereby claimed per Rule 55 & 35 USC119 based on prior foreign application(s) Nos.:
Application Nos. Country Filing Date

respectively.

- ☒ This application is based on the following prior provisional application(s):

Application No.**Filing Date**

60/109,281

November 20, 1998

respectively and priority is hereby claimed therefrom.

Certified copy(ies) of foreign and/or provisional application(s): ☐ attached; ☐ already filed on _____
in U.S. Application Serial No. _____, filed on _____.

- ☐ The undersigned verifies that the above-identified application is identical to: filed _____, as amended on _____.
☒ Verified Statement attached establishing "small entity" status (Rules 9 & 27)
☐ Also attached:

Fees are attached as calculated below:

| | | | | | |
|--|---|--------|---|---------------------------|-------------|
| Basic filing fee | | | | \$ | 760.00 |
| Total Effective claims | 4 | - 20 = | 0 | x \$ | 18.00 |
| | | | | \$ | 0.00 |
| Independent claims | 3 | - 3 = | 0 | x \$ | 78.00 |
| | | | | \$ | 0.00 |
| If proper multiple dependent claims now added for first time, add \$260.00 (ignore improper) | | | | \$ | 0.00 |
| | | | | FILING FEE | \$ 760.00 |
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$380.00/2 months; \$870.00/3 months; \$1360.00/4 months) | | | | \$ | 380.00 |
| Surcharge (\$130.00) if Declaration or filing fee first now submitted | | | | \$ | 130.00 |
| | | | | FIRST SUBTOTAL | \$ 1,270.00 |
| If "small entity," enter half (1/2) of subtotal and subtract | | | | -\$ | 635.00 |
| | | | | SECOND SUBTOTAL | \$ 635.00 |
| Assignment Recording Fee (\$40.00) | | | | \$ | 40.00 |
| | | | | TOTAL FEE ENCLOSED | \$ 675.00 |

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955

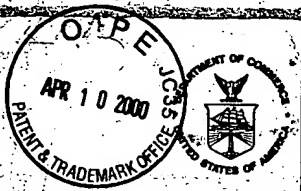
Signature: Mary J. Wilson

04/12/2000 KZEMDIE 00000103 09437450

03 FC:216

190.00 OP

MJW #3
1579-315



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|
| 09/437,450 | 11/10/99 | FREEDMAN | 1579-315 |

NIXON & VANDERHYTE PC
1100 NORTH GLEBE ROAD
8TH FLOOR
ARLINGTON VA 22201

0222/1209/579.315

12-9-99

Feb 9, 2000

July 9, 2000

per [signature]

NOT ASSIGNED

DATE MAILED:

12/09/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted: [blank]

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 290.

☒ 1. The statutory basic filing fee is:

☒ missing.

☐ insufficient.

Applicant must submit \$ 120 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ for total claims over 20.

\$ for independent claims over 3.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts"

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

BEST AVAILABLE COPY

04/12/2000 KZEMLE 0000103 09437450
01 FEB 2001
02 FEB 2001